

SCOTTSDALE

# CITY COUNCIL MEETING



\*\*\*AMENDED\*\*\* AGENDA [ITEM 14A ADDED]

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## COUNCIL

Mary Manross, Mayor

Wayne Ecton

Robert W. Littlefield

Cynthia Lukas

Ned O'Hearn

David Ortega

Tom Silverman

Tuesday, December 10, 2002

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**5:00 P.M.**

## CITY COUNCIL MEETING

**Call to Order** – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Roll Call**

**Pledge of Allegiance**

**Invocation**

## Public Comment

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "public comment." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

## Minutes

SPECIAL MEETINGS

REGULAR MEETINGS

November 18, 2002

November 19, 2002

EXECUTIVE SESSIONS

**1. Sprouts Farmers Market Liquor License**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 10 (beer and wine store) State liquor license.

**Location:** 9301 E Shea Blvd., #132

**Reference:** 81-LL-2002

**Staff Contact(s):** Jeff Fisher, Development Services Director, 480-312-7619, [jefisher@ci.scottsdale.az.us](mailto:jefisher@ci.scottsdale.az.us)

**2. Flos Chinese Restaurant Liquor License**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license.

**Location:** 15027 N Thompson Peak Pky., Ste. 101

**Reference:** 97-LL-2002

**Staff Contact(s):** Jeff Fisher, Development Services Director, 480-312-7619, [jefisher@ci.scottsdale.az.us](mailto:jefisher@ci.scottsdale.az.us)

**3. Chart House Liquor License**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license.

**Location:** 7255 E McCormick Pky.

**Reference:** 98-LL-2002

**Staff Contact(s):** Jeff Fisher, Development Services Director, 480-312-7619, [jefisher@ci.scottsdale.az.us](mailto:jefisher@ci.scottsdale.az.us)

**4. House Wines Liquor License**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for an existing beer and wine store.

**Location:** 7001 N Scottsdale Rd.

**Reference:** 24-EX-2002

**Staff Contact(s):** Jeff Fisher, Development Services Director, 480-312-7619, [jefisher@ci.scottsdale.az.us](mailto:jefisher@ci.scottsdale.az.us)

**5. DC Ranch Parcel 6.6 Development Proposal**

**Request:** Develop a seven (7) lot single-family subdivision on a parcel of approximately 17.7 acres.

**Location:** E Windgate Pass Dr

**Reference:** 14-PP-2002

**Staff Contact(s):** Kurt Jones, Project Coordination Manager, 480-312-2524, [kjones@ci.scottsdale.az.us](mailto:kjones@ci.scottsdale.az.us)

**6. DC Ranch Parcel 6.11 Development Proposal**

**Request:** Develop a seven (7) lot single-family subdivision on a parcel of approximately 12.7 acres.

**Location:** 10593 E Windgate Pass Dr

**Reference:** 17-PP-2002

**Staff Contacts:** Kurt Jones, Project Coordination Manager, 480-312-2524, [kjones@ci.scottsdale.az.us](mailto:kjones@ci.scottsdale.az.us)

**7. DC Ranch Parcel 5.11 Development Proposal**

**Request:** Develop an eight (8) lot single-family subdivision on a parcel of approximately 15.5 acres.

**Location:** E/ Thompson Peak Parkway, S/ Windgate Pass

**Reference:** 21-PP-2001

**Staff Contact(s):** Kurt Jones, Project Coordination Manager, 480-312-2524, [kjones@ci.scottsdale.az.us](mailto:kjones@ci.scottsdale.az.us)

**8. Sierra Estates Development Proposal**

**Request:** Develop an eighteen (18) lot single-family subdivision on a parcel of approximately 16.3 acres.

**Location:** SEC Via Linda & 138<sup>th</sup> Street

**Reference:** 23-PP-2001

**Staff Contact(s):** Jayna Shewak, Project Coordination Manager, 480-312-7059, [jshewak@ci.scottsdale.az.us](mailto:jshewak@ci.scottsdale.az.us)

**9. Land acquisition for the McDowell Sonoran Preserve**

**Request:** Adopt Resolution No. 6203 authorizing purchase in the amount of \$165,000 for the 4.733-acre Parcel No. 217-01-008L, located at 25710 N. 132nd Street, for the McDowell Sonoran Preserve.

**Related Policies, References:** The parcel is within the expanded Recommended Study Boundary approved in August 1998, by City Council and in November 1998, by voters. The acquisition of this land supports City Council Broad Goal B: Preserve the Character and Environment of Scottsdale, and two sub-goals under Goal B: Complete the acquisition of lands within the adopted Preserve boundaries; and Protect natural resources, open spaces and views.

**Staff Contact(s):** Robert J. Cafarella, AICP, Director, Preservation Division, 480-312-2577 ([rcafarella@ci.scottsdale.az.us](mailto:rcafarella@ci.scottsdale.az.us))

**10. Land acquisition for the McDowell Sonoran Preserve**

**Request:** Adopt Resolution No. 6206 authorizing purchase in the amount of \$205,250 for the 5.006-acre Parcel No. 216-59-004J, located at 30230 N. 130th Street, for the McDowell Sonoran Preserve.

The purchase price represents the city's offer to purchase the property for \$41,000 per acre.

**Related Policies, References:** The parcel is within the expanded Recommended Study Boundary approved in August 1998, by City Council and in November 1998, by voters. The acquisition of this land supports City Council Broad Goal B: Preserve the Character and Environment of Scottsdale, and two sub-goals under Goal B: Complete the acquisition of lands within the adopted Preserve boundaries; and Protect natural resources, open spaces and views.

**Staff Contact(s):** Robert J. Cafarella, AICP, Director, Preservation Division, 480-312-2577 ([rcafarella@ci.scottsdale.az.us](mailto:rcafarella@ci.scottsdale.az.us))

**11. Intergovernmental Agreement (IGA) with Maricopa County to install Intelligent Transportation System infrastructure in Scottsdale.**

**Request:** Consider adoption of Resolution 6207 to authorize IGA number 2002-149-COS with Maricopa County to purchase, deploy and install Intelligent Transportation System infrastructure in the City of Scottsdale.

**Related Policies, References:** City Code, Chapter 17-21.

**Staff Contact(s):** Bruce Dressel, ITS Analyst, 480-312-2358, [bdressel2@ci.scottsdale.az.us](mailto:bdressel2@ci.scottsdale.az.us)

**12. Contract renewal for On-call Airport Planning and Engineering Services**

**Request:** Consider authorizing a one-year renewal of contract no. 2001-154-COS with Gilbertson Associates, Inc. to provide engineering services for Scottsdale Airport.

**Related Policies, References:** Contract No. 2001-154-COS; Scottsdale Procurement Code.

**Staff Contact(s):** Scott T. Gray, Aviation Director, (480) 312-7735, [sgray@ci.scottsdale.az.us](mailto:sgray@ci.scottsdale.az.us)

**13. Amend the development fee code to clarify the intention of the non-residential development fee process.**

**Request:** Adopt Ordinance No. 3463, amending the City Water Code as it applies to procedural aspects of non-residential development fee collection and adopt Resolution No. 6175 making the amended City Water Code a public record..

**Staff Contact(s):** Rick Gregoire, Water Resources Analyst, 480-312-5684, [rgregoire@ci.scottsdale.az.us](mailto:rgregoire@ci.scottsdale.az.us)

**14. Contract Modification for design of Water Distribution Systems Improvements.**

**Request:** Authorize the second Contract Modification to Engineering Services Contract No.2000-198-COS-B with David Evans and Associates, Inc. in the amount of \$95,142.00 for the design of additional Water Distribution Systems Improvements.

**Staff Contact(s):** Alison Boldt, Sr. Project Manager, (480)312-7985, [aboldt@ci.scottsdale.az.us](mailto:aboldt@ci.scottsdale.az.us)

**\*\*\*Add Item 14A:**

**14A. Authorize defense and indemnification of the City Attorney in civil rights and employment lawsuit.**

**Request:** Adopt Resolution No. 6220 authorizing the City to pay for the defense and indemnification of the City Attorney in the lawsuit filed as *John W. "Johnny" Guthrie v. The City of Scottsdale, David A. Pennartz, Scottsdale City Attorney, and David A. Pennartz and Lynette M. Pennartz*, U.S. District Court, District of Arizona, No. CIV02-2468-PHX-RCB.

**Staff Contact(s):** Deborah Robberson, Deputy City Attorney, 480-312-2405, [drobbrson@ScottsdaleAZ.gov](mailto:drobbrson@ScottsdaleAZ.gov)

**Regular Agenda begins on the following page**

**15. Mountain View Plaza**

**Request** to approve:

1. An amendment to Development Agreement No. 1999-039-COS, and
2. Resolution No. 6176 adopting the above mentioned amendments.

**Location:** SEC Mountain View & Hayden Rd

**Reference:** 3-ZN-1999#2

**Staff Contact(s):** Kurt Jones, Project Coordination Manager, 480-312-2524, [kjones@ci.scottsdale.az.us](mailto:kjones@ci.scottsdale.az.us)

**16. Scottsdale Riverwalk Square**

**Request:** To initiate

1. Site plan approval on a 9+/- acre parcel located at 4611 N Scottsdale Road with Downtown Regional Commercial Office, Type 2, Planned Block Development (D/RCO-2 PBD) zoning, and
2. Adoption of Ordinance No. 3482 affirming the above site plan approval.

**65-ZN-1992#4**

**Location:** 4611 N Scottsdale Rd

**Reference:** 65-ZN-1992#4

**Staff Contact(s):** Kurt Jones, Project Coordination Manager, 480-312-2524, [kjones@ci.scottsdale.az.us](mailto:kjones@ci.scottsdale.az.us)

**17. Foothills Overlay Zoning Map Amendment**

**Request:** Initiate Foothills Overlay zoning for the Desert Foothills area.

**Location:** Desert Foothills - 10+/- square miles bounded by Lone Mountain Road on the north, Happy Valley Road on the south, 96<sup>th</sup> St on the east, and 56<sup>th</sup> St on the west.

**Reference:** 621-PA-2002

**Staff Contact(s):** Jerry Stabley, Principal Planner, 480-312-7872, [jstabley@ci.scottsdale.az.us](mailto:jstabley@ci.scottsdale.az.us)

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**City Manager's Report****Mayor and Council Items****Adjournment**

Section 2.17 of the Scottsdale City Code states, "Regular Meetings that are scheduled to be conducted on consecutive days may be combined and held on either of the two (2) days, at the election of the council, and shall be considered a single meeting." The Council may hold over any items noticed on the Monday agenda to the agenda for the Tuesday meeting.